

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Chester Eugene Downing

Docket No. 2:08-CR-16-2F

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Chester Eugene Downing, who, was found guilty of Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. § 922 (g)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on January 21, 2010, to the custody of the Bureau of Prisons for a term of 78 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Chester Eugene Downing was released from custody on February 14, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 8, 2016, the defendant was arrested in Washington County, North Carolina, for Violation of a Court Order (16CR050059) for an incident on February 7, 2016. On February 18, 2016 the defendant was again arrested in Washington County, North Carolina, for Domestic Violence Protective Order Violation (16CR050079), which conduct allegedly occurred on February 16, 2016. These charges remain pending for disposition. As a sanction for this violation conduct, the completion of 30 days of home detention is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: February 24, 2016

ORDER OF THE COURT

Considered and ordered this 25 day of February, 2016 and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge